AUG 0 7 2006

## AMENDMENT TRANSMITTAL LETTER

Docket No.
SPINE 3.0-437 CPCPCPCPCPCPCP I CON

Application No.	Filing Date	Examiner	Art Unit
10/663,488-Conf. #2425	September 16, 2003	B. E. Pellegrino	3738

Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok

Invention: INTERVERTEBRAL SPACER DEVICE HAVING AN ENGAGEMENT HOLE FOR MANIPULATION USING ASURGICAL TOOL

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

		CLAIM	S AS AMENI	DED	
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	12	- 20 =		×	
ndependent Claims	3	- 3 =		x	
Multiple Depend	lent Claims (ch	eck if applicabl	e)		
Other fee (pleas	e specify):				
TOTAL ADDIT	IONAL FEE FO	OR THIS AME	NDMENT:		0.00
x Large Entity				Small Ent	lity
X No additiona	al fee is require	d for this amer	ndment.		
	ge Deposit Acc			the amount of s	
A check in th	ne amount of \$		to cover	the filing fee is e	nclosed.
Payment by	credit card. Fo	orm PTO-2038	is attached.		
	is hereby auth below. A dup			Deposit Accoun	t No. <u>12-1095</u>
x Credit a	ny overpaymer	nt.			
x Charge a	any additional fili	ing or applicatio	n processing t	ees required und	er 37 CFR 1.16 and 1.17
Raymond Garg Attorney Agent				Dated:	August 2, 2006
LERNER, DAVI 600 South Aver Westfield, New	ID, LITTENBER	RG, KRUMHO	LZ & MENTL	K, LLP	

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to. MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: August 2, 2006

Signature:

\_ (Raymond Garguilo, Jr.)

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August 2, 2006

(Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437 CPCPCPCPCPCP I CON III (PATENT)

: Group Art Unit: 3738

: Examiner: B. E.

Pellegrino

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Errico et al.

Application No.: 10/663,488

Filed: September 16, 2003

For: INTERVERTEBRAL SPACER DEVICE HAVING AN ENGAGEMENT HOLE FOR MANIPULATION USING A SURGICAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

mailed Official Action to the In response February 17, 2006, Applicants submit the following amendments and remarks.

A Petition for a Three-Month Extension of Time is submitted herewith thereby extending the time for response from May 17, 2006 through and including August 17, 2006.